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11 AT&T UMBRELLA BENEFIT PLAN NO. 1

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 LOUIS J. VELA,

15 Plaintiff,

16 v.

17 AT&T UMBRELLA BENEFIT PLAN NO. 1

18 Defendant.
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Case No.: CV 08 1575 MMC

**STIPULATION AND ~~[PROPOSED]~~ ORDER
EXTENDING CASE DEADLINES**

Complaint filed: March 21, 2008
First Amended Complaint Filed: May 14,
2008

WHEREAS, on July 18, 2008, the Court ordered that LOUIS J. VELA ("Plaintiff") Plaintiff file and serve his Cross-Motion for Summary Judgment of the issues in this ERISA action by February 20, 2009, with Defendant AT&T UMBRELLA BENEFIT PLAN NO. 1's, (hereinafter "Defendant") Cross-Motion for Summary Judgment and opposition brief, Plaintiff's opposition brief, and the parties' reply briefs to follow;

WHEREAS, the parties have not previously sought to continue or extend any of the deadlines in this ERISA action related to the filing of the parties' Cross-Motions for Summary Judgment;

WHEREAS, the parties agree that, due the voluminous record in this ERISA action, and to facilitate efficient and expeditious scheduling of the multiple briefs for the Court and parties, the current filing deadline should be modified to provide sufficient time for the parties to prepare their respective Cross-Motions for Summary Judgment, opposition and reply briefs.

NOW, THEREFORE,

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant, by and through their respective undersigned attorneys of record, to continue the date set by the Court for hearing on the parties' Cross-Motions for Summary Judgment as well as all associated deadlines, including the applicable deadlines for the filing of the parties' opposition and reply briefs, and the date scheduled for the next Case Management Conference to be set by the Court:

February 20, 2009	Last day for Plaintiff to file and serve Cross-Motion for Summary Judgment.
March 20, 2009	Last day for Defendant to file and serve Cross-Motion for Summary Judgment and Opposition to Plaintiff's Motion for Summary Judgment.

April 17, 2009

Last day for Plaintiff to file and serve Opposition to Defendant's Motion for Summary Judgment, and reply in support of Plaintiff's Cross-Motion for Summary Judgment.

May 8, 2009

Last day for Defendant to file and serve reply in support of Defendant's Cross-Motion for Summary Judgment.

May 22, 2009
10:30 a.m.

Hearing on the parties' Motions for Summary Judgment.

_____, 2009
10:30 a.m.

Case Management Conference.

Good cause exists for this continuance of the existing deadline for filing the parties' Motions for Summary Judgment, and all associated deadlines, as set forth above.

IT IS SO STIPULATED.

Dated: February ___, 2009

GOLDSTEIN, GELLMAN, MELBOSTAD,
GIBSON & HARRIS

By: /S/
Lee S. Harris
Attorneys for Plaintiff LOUIS J. VELA

Dated: February ___, 2009

MILLER LAW GROUP
A Professional Corporation

By: /S/
Katherine L. Kettler
Attorneys for Defendant AT&T
UMBRELLA BENEFIT PLAN NO. 1

ORDER

Having reviewed the Stipulation executed by Plaintiff LOUIS J. VELA and Defendant AT&T UMBRELLA BENEFIT PLAN NO. 1, and good cause appearing, the Court February 20, 2009 deadline for plaintiff to file a dispositive motion hereby orders that the ~~July 18, 2008 hearing on the parties' Cross-Motions for Summary Judgment and associated dates~~, as well as the scheduled Case Management Conference, ~~are continued~~ ~~are VACATED, and are rescheduled~~ pursuant to the schedule set forth below.

February 20, 2009

Last day for Plaintiff to file and serve Cross-Motion for Summary Judgment.

March 20, 2009

Last day for Defendant to file and serve Cross-Motion for Summary Judgment and opposition to Plaintiff's Cross-Motion for Summary Judgment.

April 17, 2009

Last day for Plaintiff to file and serve opposition to Defendant's Cross-Motion for Summary Judgment, and reply in support of Plaintiff's Cross-Motion for Summary Judgment.

May 8, 2009

Last day for Defendant to file and serve reply in support of Defendant's Cross-Motion for Summary Judgment.

May 22, 2009

~~10:30 a.m.~~ 9:00 a.m.

Hearing on the parties' Motions for Summary Judgment.

July 17, 2009

10:30 a.m.

Case Management Conference.

IT IS SO ORDERED.

Dated: February 18, 2009


The Honorable Maxine M. Chesney
United States District Judge